IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 17807 of 2004

Between:

1 Valluri Veera Raj S/o.Satyanarayana Murthy
R/o.Allur Village Ramagundam Mandal, Karimnagar District.
2 Valluri Srinivas S/o. Satyanarayana Murthy
R/o.Allur Village Ramagundam Mandal, Karimnagar District.

..... PETITIONERS

AND

The Sub Registrar Peddapalli, Karimnagar District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any appropriate writ, order or direction preferably a writ in the nature of Mandamus declaring the action of the Respondent in refusing to register the sale deeds proposed to be executed by the petitioners in favour of their purchasers in respect of the lands measuring Ac 1-26 guntas and Ac 2-21 guntas respectively in Sy.No.84 situated at Allur Village, Ramagundam Mandal, Karimnagar District as illegal, arbitrary and unsustainable in law and pass.

Counsel for the Petitioners:MR.I.AGA REDDY

Counsel for the Respondent: GP FOR STAMPS AND REGISTRATION

The Court at the stage of admission made the following :

ORDER:

Heard the learned counsel for petitioners and learned Government Pleader for respondent.

The petitioners state that when they were enquiring about the market value of the lands, ad-measuring Ac.1.26 guntas and Ac.2.21 guntas, respectively, in Sy.No.84, situated at Allur village, Ramagundam Mandal, Karminagar, for executing registered sale deeds in favour of some third parties, it was informed by the respondent-authorities that they cannot register the sale deeds, since the lands in question are part of the acquisition, proposed by the Singareni Collieries Company Limited. In view of the same, the petitioners have filed this writ petition contending that the action of the respondent in not registering the sale deeds is without any basis and seek appropriate direction in this regard.

Learned Government Pleader for the respondent submits that there is no notification issued by the Government of Andhra Pradesh, under Section 22-A(1) of the Registration Act, 1908, prohibiting the registration of the documents in respect of Survey No.84, situated in the above said village and that after issuance of such notification, the respondent can refuse to receive the documents for registration, but not otherwise.

In view of the submissions made by the learned Government Pleader, I deem it appropriate to direct the respondent to receive the documents in question and register the same, as and when the petitioners presented the same for registration, if they are in order, and for any reason, the documents cannot be registered, he has to pass appropriate orders, and communicate the same to the petitioners, within two weeks from the date of presentation of such documents.

Accordingly, the writ petition is disposed of at the admission stage. No order as to costs.

(A.GOPAL REDDY,J)

Dated:04-10-2004

GJ

To

1. The Sub Registrar, Peddapalli, Karimnagar District.

2. Two C.Cs. to the Government Pleader for Stamps and Registration, High Court of A.P., Hyderabad(OUT)

3. Two C.D. copies.